

JAN - 3 2006

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JOHN F. CORCORAN, CLERK
BY: *John F. Corcoran*
DEPUTY CLERK

DARRICK S. GENTRY,
Petitioner,

v.

UNITED STATES OF AMERICA,
Respondent.

) Civil Action No. 7:05-cv-00768
) Criminal Action No. 7:03-cr-00053
)
) **FINAL ORDER**
)
) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is now

ORDERED

that the above referenced motion to vacate, set aside or correct sentence under 28 U.S.C. § 2255 shall be and hereby is **FILED** and **DISMISSED** pursuant to Rule 4(b) of the Rules Governing Section 2255 Proceedings. The motion shall be **STRICKEN** from the active docket of the court.

The Clerk is directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER:

This 3rd day of January, 2006.

Jackson L. Kiser
Senior United States District Judge